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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/815,673	03/23/2001	Michael H. Wang	D/A0005	5771
7590 12/15/2004			EXAMINER	
Patent Documentation Center Xerox Corporation 100 Clinton Ave. S., Xerox Square 20th Floor Rochester, NY 14644			MILIA, MARK R	
			ART UNIT	PAPER NUMBER
			2622	

DATE MAILED: 12/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/815,673

Applicant(s)

WANG ET AL.

Examiner

Mark R. Milia

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 3/23/01.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: Failure to describe Fig. 3 in either the Brief Description of the Drawings or the Detailed Description of the Invention. Appropriate correction is required.

The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code. Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S.

Patent No. 6789111 to Brockway et al. in view of Applicant's Specification.

Regarding claim 1, Brockway discloses a system to automatically detect and install a printer on a network with a Windows 2000 operating system in which the system detects the presence of the printer, identifies the manufacturer and model number of the printer, installs device drivers, and configures the system to operate said

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printer (see column 4 lines 45-62, column 5 line 46-column 7 line 49, and column 7 line 66-column 8 line 6).

Brockway does not disclose expressly using an XcvData function incidental to an Addport command, and inserting into the XcvData function, in the location for a plnputData parameter, a pointer to a data structure.

However, Applicant discloses as prior art the use and description of the XcvData function incidental to an AddPort command and use of a plnputData parameter as being known and found at the Microsoft website and Driver Development Kit (see page 6, first paragraph of specification).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the teachings of the Windows 2000 Driver Development Kit with the system of Brockway.

The suggestion/motivation for doing so would have been to provide the particular code used to implement the system of automatic detection and installation of a printer over a network as disclosed by Brockway to further explain the invention. In implementing the system as put forth by Brockway the code for printer detection and installation had to be modified to allow the system to automatically detect and install a printer therefore the applicant's invention would have been obvious given the teachings of Brockway and the references available on the Microsoft website and the Windows 2000 Driver Development Kit.

Regarding claim 2, Brockway discloses the system discussed in claim 1 and Applicant discloses as prior art inserting into the XcvData function, in the location for a

pcboutputNeeded parameter, a pointer to a buffer (see page 6, lines 27-31 of specification).

Regarding claim 3, Brockway discloses the system discussed in claim 1 and Applicant discloses as prior art wherein the data structure is a PORT_DATA_1 structure incidental to the Addport command (see page 6, first paragraph of specification).

Regarding claim 4, Brockway discloses the system discussed in claim 1 and Applicant discloses as prior art supplying dwBufReq = 0 to the XcvData function (see page 8 lines 9-11 of specification).

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. To further show the state of the art refer to U.S. Patent numbers 6301012 (White et al.) and 6184998 (Tebeka) and Microsoft website resource: Driver Development Kit.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark R. Milia whose telephone number is (703) 305-1900. The examiner can normally be reached M-F 8:00am-4:00pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached at (703) 305-4712. The fax number for the organization where this application or proceeding is assigned is 703-872-9306.


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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mark R. Milia
Examiner
Art Unit 2622

MRM


JOSEPH R. POKRZYWA
EXAMINER
ART UNIT 2622


EDWARD COLES
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600